United Nations A/C.4/63/L.4

General Assembly

Distr.: Limited
7 October 2008

Original: English

Sixty-third session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 37

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft decision submitted by the Chairman

Question of Gibraltar

The General Assembly, recalling its decision 62/523 of 17 December 2007 and the statements agreed to by the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland in Brussels, on 27 November 1984,[1] and in Madrid, on 27 October 2004, and noting the establishment, pursuant to the latter, of the tripartite Forum for Dialogue on Gibraltar, separate from the Brussels Process, under the statement made jointly by the Governments of Spain, the United Kingdom and Gibraltar on 16 December 2004:

(a) Urges both Governments, while listening to the interests and aspirations of Gibraltar, to reach, in the spirit of the statement of 27 November 1984, a definitive solution to the question of Gibraltar, in the light of relevant resolutions of the General Assembly and applicable principles, and in the spirit of the Charter of the United Nations;

(b) Welcomes the ongoing successful implementation of the first package of measures concluded at the tripartite Forum for Dialogue on Gibraltar and the shared will to reach new agreements by July 2009.

[1] A/39/732, annex.

08-53995 (E) 081008

United Nations A/C.4/63/L.5

General Assembly

Distr.: Limited
9 October 2008

Original: English

Sixty-third session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 37

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Algeria, Angola, Belize, Bolivia, Cuba, Dominica, Ecuador, Grenada, Jamaica, Lesotho, Mozambique, Namibia, Nicaragua, Nigeria, Rwanda, Saint Kitts and Nevis, Saint Lucia, South Africa, Suriname, Timor-Leste, Uganda, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Zambia and Zimbabwe: draft resolution

Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the people concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and other resolutions of the General Assembly,

Recalling its resolution 62/116 of 17 December 2007,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 1359 (2001) of 29 June 2001, 1429 (2002) of 30 July 2002, 1495 (2003) of 31 July 2003, 1541 (2004) of 29 April 2004, 1570 (2004) of 28 October 2004, 1598 (2005) of 28 April 2005, 1634 (2005) of 28 October 2005, 1675 (2006) of 28 April 2006 and 1720 (2006) of 31 October 2006,

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Welcoming the adoption of Security Council resolution 1754 (2007) on 30 April 2007,

Recalling the adoption of subsequent Security Council resolutions 1783 (2007) of 31 October 2007 and 1813 (2008) of 30 April 2008,

Expressing its satisfaction that the parties have met on 18 and 19 June and on 10 and 11 August 2007 and from 7 to 9 January and from 16 to 18 March 2008 under the auspices of the Personal Envoy of the Secretary-General and in the presence of the neighbouring countries and that they have agreed to continue the negotiations,

Calling upon all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy and with each other,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

Welcoming in this regard the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution to the dispute, which will provide for the self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Having also examined the report of the Secretary-General,[2]

1. *Takes note* of the report of the Secretary-General;[2]

2. *Supports strongly* Security Council resolution 1754 (2007), by which the Council called upon the parties to enter into negotiations without preconditions in good faith, taking into account the developments of the last months, with a view to achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara;

3. *Welcomes* the ongoing negotiations between the parties held on 18 and 19 June and on 10 and 11 August 2007 and from 7 to 9 January and from 16 to 18 March 2008 in the presence of the neighbouring countries under the auspices of the United Nations;

4. *Commends* the efforts undertaken by the Secretary-General and his Personal Envoy for the implementation of Security Council resolution 1754 (2007), and encourages the parties to continue to show political will and a spirit of cooperation in supporting those efforts and to create a propitious atmosphere for dialogue and the success of the negotiations;

5. *Calls upon* the parties to cooperate with the International Committee of the Red Cross and calls upon them to abide by their obligations under international humanitarian law;

6. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial

[1] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. VIII.

[2] A/63/131.

Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its sixty-fourth session;

7. *Invites* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution.

United Nations A/C.4/63/L.6

General Assembly

Distr.: Limited
13 October 2008

Original: English

Sixty-third session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 37

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

United Kingdom of Great Britain and Northern Ireland: amendment to draft resolution VI, contained in document A/63/23, chap. XII

Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

In draft resolution VI.A, operative paragraph 2, delete the words "and where there is no dispute over sovereignty".

08-54758 (E) 131008

United Nations A/C.4/63/L.7

General Assembly

Distr.: Limited
20 October 2008

Original: English

Sixty-third session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 37

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chairman

Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the people concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and other resolutions of the General Assembly,

Recalling its resolution 62/116 of 17 December 2007,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 1359 (2001) of 29 June 2001, 1429 (2002) of 30 July 2002, 1495 (2003) of 31 July 2003, 1541 (2004) of 29 April 2004, 1570 (2004) of 28 October 2004, 1598 (2005) of 28 April 2005, 1634 (2005) of 28 October 2005, 1675 (2006) of 28 April 2006 and 1720 (2006) of 31 October 2006,

Underlining the adoption of Security Council resolutions 1754 (2007) on 30 April 2007, 1783 (2007) on 31 October 2007 and 1813 (2008) on 30 April 2008,

Expressing its satisfaction that the parties have met on 18 and 19 June 2007, on 10 and 11 August 2007, from 7 to 9 January 2008 and from 16 to 18 March 2008

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under the auspices of the Personal Envoy of the Secretary-General and in the presence of the neighbouring countries and that they have agreed to continue the negotiations,

Calling upon all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy and with each other,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

Welcoming in this regard the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution to the dispute, which will provide for the self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Having also examined the report of the Secretary-General,[2]

1. *Takes note* of the report of the Secretary-General;[2]

2. *Supports* the process of negotiations initiated by Security Council resolution 1754 (2007) and further sustained by Council resolutions 1783 (2007) and 1813 (2008), with a view to achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara, and commends the efforts undertaken by the Secretary-General and his Personal Envoy in this respect;

3. *Welcomes* the commitment of the parties to continue to show political will and work in an atmosphere propitious for dialogue, in order to enter into a more intensive phase of negotiations, in good faith and without preconditions, taking note of efforts and developments since 2006, thus ensuring implementation of Security Council resolutions 1754 (2007), 1783 (2007) and 1813 (2008) and the success of negotiations;

4. *Also welcomes* the ongoing negotiations between the parties held on 18 and 19 June 2007, on 10 and 11 August 2007, from 7 to 9 January 2008 and from 16 to 18 March 2008 in the presence of the neighbouring countries under the auspices of the United Nations;

5. *Calls upon* the parties to cooperate with the International Committee of the Red Cross, and calls upon them to abide by their obligations under international humanitarian law;

6. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its sixty-fourth session;

7. *Invites* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution.

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[1] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. VIII.

[2] A/63/131.